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**\*\*\*\*\*I DO consent to service by email.\*\*\*\*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

Taiming Zhang	)	Case No. 2:24-cv-04055
	)	opposition to motion to dismiss [86]
Interested Party, movant	)	additional exhibit for motion to dismiss
	)	
	)	
	)	
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Earlier, I filed emergency motion to dismiss dkt 58. It shows that the DOJ does not have the right to bring this suit for abuse of discretion where they have left serious crimes by the defendant including explosions, fraud, torture, and others uninvestigated.

Apple has admitted to these accusations through failure to deny.

First of all, it's unheard of in common law history that court would ignore the first motion to dismiss, and deal with the second motion to dismiss first. This is pure abuse of discretion.

Second of all, the first motion to dismiss is URGENT and the second is not. This failure to remedy irreparable harm is a separate act by judge that is entirely malicious.

Third of all, as I said in the letter to defense counsel, FRCP 11 (b) clearly bans unnecessary increase of costs of litigation and frivolous arguments. Here, with the defendant knowing the DOJ doesn't have the right to bring the case, any arguments on the otherwise merits of the case are frivolous and are for the purpose of increasing litigation costs needlessly. Therefore, the motion to dismiss by Apple is VOID. The DOJ doesn't have the right to bring this claim, the facts and laws of the claim thereby are irrelevant. The case mustn't continue to save all parties AS WELL AS taxpayers unnecessary costs.

1 **Attached is another photo of the burns by the iPhone 15 pro max.**  
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3 Declaration

4 I declare under penalty of perjury under the laws of the United States of America  
5 that the foregoing is true and correct. (In accordance with 28 U.S. Code § 1746)  
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Taiming Zhang, movant

